



## Board of Adjustment Case Report

City of Raleigh  
Department of City Planning  
One Exchange Plaza  
Raleigh, NC 27601  
(919) 996-2626  
[www.raleighnc.gov](http://www.raleighnc.gov)

**Case File:** A-46-16

**Property Address:** 5019 Hollyridge Drive

**Property Owner:** Lewis & Elizabeth Miller

**Project Contact:** Charles Reiling

**Nature of Case:** A request for a 16' primary street setback variance from the infill compatibility requirements set forth in Section 2.2.7.C. of the Part 10A Unified Development Ordinance to construct a detached house that results in a 60' primary street setback on a .38 acre property zoned R-4 and located at 5019 Hollyridge Drive.



**5019 Hollyridge Drive – Location Map**

**To BOA:** 4-11-16

Staff Coordinator: Eric S. Hodge, AICP

---

**ZONING DISTRICTS: Residential-4**



**5019 Hollyridge Drive – Zoning Map**

**VARIANCE STANDARDS:** In accordance with UDO [§10.2.10 Variance](#), before a variance request is granted, the Board of Adjustment shall show all of the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

**Zoning District Standards:** The subject property is zoned Residential-4

**Lot Dimensions**

Area (min)	10,000 SF
Width – interior lot (min)	65'
Width – corner lot (min)	80'
Depth (min)	100'
Density (max)	4 u/a

<b><u>Yard Type</u></b>	<b><u>Minimum Setback</u></b>
Primary Street	20'
Side Street	15'
Side	10'
Sum of Sides	20'
Rear	30'

## 2.2.7 Residential Infill Compatibility

### A. Intent

The intent of the residential infill compatibility standards is to accommodate and encourage compatible development in existing residential neighborhoods, while reinforcing the established character of the neighborhood and mitigating adverse impacts on adjacent homes.

### B. Applicability

1. The standards contained within this section apply to any building in an R-4, R-6 or R-10 district where all of the following are present:

- a. The total site area is 5 acres or less;
- b. At least 50% of the side and rear property lines abut existing detached or attached building types; and
- c. The lot must have been recorded for at least 20 years. This time period includes subsequent recombinations or subdivisions of the original lot configuration or recordation.

2. These infill compatibility rules do not apply in a General or Streetside Historic Overlay District or in a Neighborhood Conservation Overlay District where height is regulated.

**C. Street Setback**

1. The proposed building must be located within the range of setbacks, no closer than the smallest setback in the range and no further than the largest setback in the range, except where a Neighborhood Conservation Overlay District applies an alternate setback.
2. On an interior lot, the range of setbacks is measured on the basis of the 2 closest lots in either direction along the block face. **(The range of allowable setbacks in this case would only allow the dwelling to be as far back as 44' from the front property line).**
3. On a corner lot, the range of setbacks is measured on the basis of the 3 closest lots along the primary block face.
4. Where the calculation cannot be applied to at least 4 lots on an interior lot or 3 lots on a corner lot, the building must meet the district standards.

A-46-16



# Planning & Development

Development Services  
Customer Service Center  
One Exchange Plaza  
1 Exchange Plaza, Suite 400  
Raleigh, North Carolina 27601  
Phone 919-996-2495  
Fax 919-516-2685

## Variance Application

		OFFICE USE ONLY
Nature of variance request (Submit addendum on separate sheet, if more space is needed.)		Transaction Number
SEE EXHIBIT A ATTACHED		
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number.		
NONE KNOWN		

GENERAL INFORMATION			
Property Address		Date	
5019 HOLLY RIDGE AVE		3-25-2016	
Property PIN	Current Zoning		
0786842551	R 4		
Nearest Intersection		Property size (in acres)	
LANCASTER DR		0.33 AC	
Property Owner	Phone	Fax	
LEWIS R. & ELIZABETH R. MILLER	919 526 7685		
	Email		
	IBBY5-STUFF@ATT.NET		
Project Contact Person	Phone	Fax	
CHARLES B. REILING	919 760 7719		
	Email		
	CBREILING2@GMAIL.COM		
Property Owner Signature	Email		
Elizabeth R. Miller			
Notary	Notary Signature and Seal		
Lewis R. Miller	Eileen M. Tinsinger		
Sworn and subscribed before me this 25 day of March 2016			

It is improper to contact any member of the Board of Adjustment prior to the disposition of a case to discuss the request. A variance application will not be considered complete until all required submittal components listed on the Variance Checklist have been received and approved.



**CHARLES B. REILING, P.E.**  
4017 Bamburgh Lane  
Apex, North Carolina 27539  
cbreiling2@gmail.com  
919-760-7719

March 25, 2016

City of Raleigh  
Board of Adjustment  
One Exchange Plaza  
Raleigh, North Carolina 27602

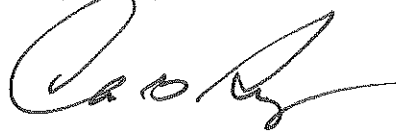
Re: Variance Request for 5019 Hollyridge Drive, Raleigh, North Carolina

On behalf of the owner of the above referenced property, I would like to request a variance to the Residential Infill Compatibility requirement of the Unified Development Ordinance as stipulated in Section 2.2.7 of that ordinance.

This request would permit a front set back of a residential structure between 60' and 88' where the range of the setback of the two adjacent houses on either side is between 34' and 44'. This request is necessitated by the encumbrance of an existing storm drainage easement that cuts across the front of the lot. The proposed structure is to be set as far to the front as legally possible and is intended to fulfill the intent of the Infill Compatibility requirement to the maximum extent possible. Please refer to the attached Site Plan for clarification and additional information.

Your approval of this variance is respectfully requested. Thank you for your time and consideration.

Respectfully

A handwritten signature in black ink, appearing to read 'C. B. Reiling', written in a cursive style.

Charles B. Reiling

Attachment: Site Plan  
Cc: Lewis, Hakizimana

PROPERTY OF  
**LEWIS R. MILLER & wife, ELIZABETH R. MILLER**  
 LOT 96, OAK PARK SUBDIVISION  
 5019 HOLLYRIDGE DRIVE  
 SCALE: 1"=50'  
 REFERENCES: BOOK OF MAPS 1961, PAGE 30

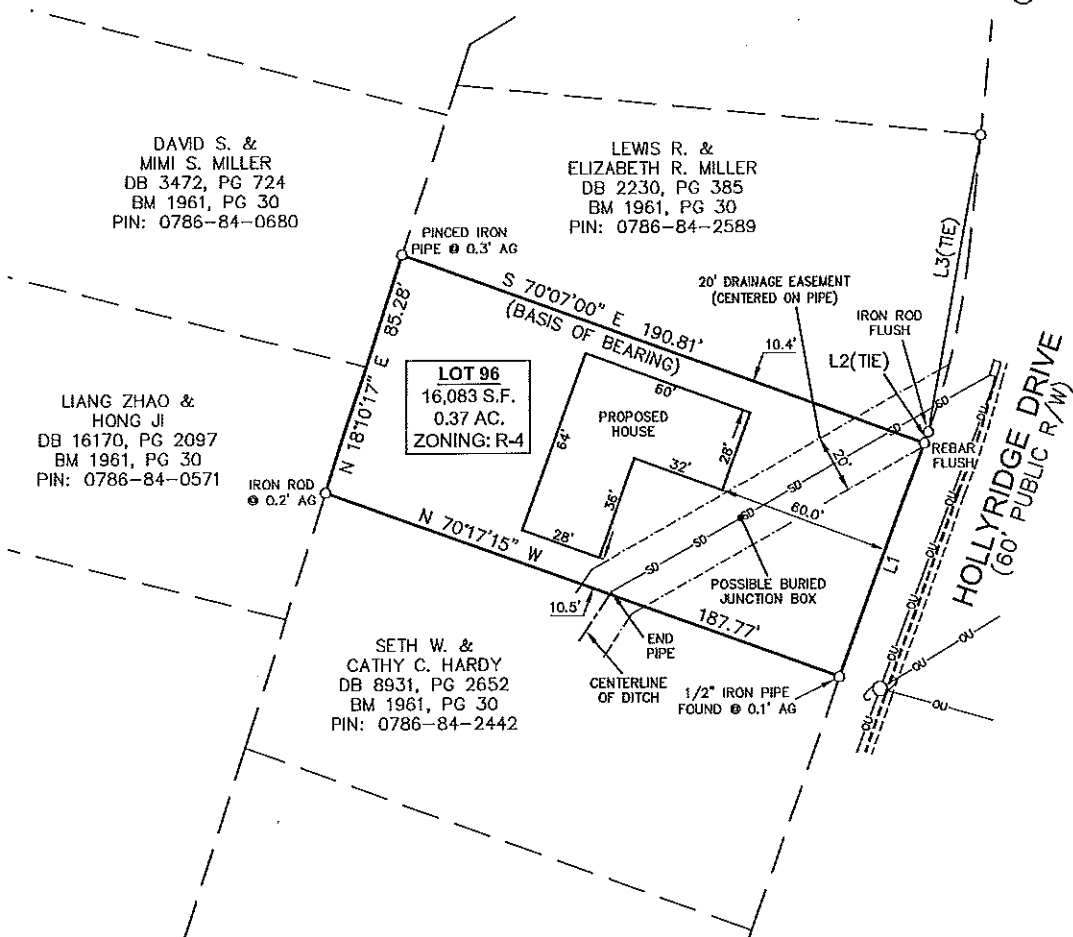
HOUSE CREEK TOWNSHIP  
 WAKE COUNTY  
 RALEIGH, NORTH CAROLINA  
 MARCH 30, 2016

**NOTES:**

- 1) Raw error of closure exceeds 1:10,000.
- 2) The basis of North and all easements, right-of-way's, buffers, setbacks and adjoiners, etc., referenced from Book of Maps 1961, Page 30 unless otherwise noted.
- 3) No investigation into the existence of jurisdictional wetlands or riparian buffers performed by Newcomb Land Surveyors.
- 4) Subject property is not located within a special flood hazard zone.
- 5) Builder to verify all dimensions prior to construction.
- 6) All construction to be in accordance with City of Raleigh and/or NCDOT standards and specifications.

**LEGEND**

	Ex. Iron pipe/rod or nail
	Utility pole
	Overhead utility
	Storm drain
	Dead Book
	Flat Book / Book of Maps
	Now or formerly
	Page
	Square feet
	Acres
	Right-of-way
	Above ground



PLAN INFORMATION BLOCK	
Total Square Feet:	
Slab:	Basement:
Plan Number:	
Included Options:	

LINE TABLE		
LINE	LENGTH	BEARING
L1	84.69	S 20°12'54" W
L2	4.06	S 19°24'27" W
L3	102.69	N 10°0'32" E

**PRELIMINARY**  
 THIS PLAN NOT TO BE USED FOR  
 RECORDATION  
 CONVEYANCE  
 SALES  
 CONSTRUCTION

PRELIMINARY PLAN FOR BUILDING PERMIT APPLICATION ONLY  
 NOT FOR SALES OR CONVEYANCES

166046  
 PIN: 0786-84-2551

**NEWCOMB** land surveyors, Llc, 246 West Millbrook Road, Raleigh, NC 27609  
 Phone (919) 847-1800, Fax (919) 847-1804



[Home](#)

## Wake County Real Estate Data Account Summary

[iMaps](#)[Tax Bills](#)Real Estate ID **0024772** PIN # **0786842551**
 Location Address      Property Description  
**5019 HOLLYRIDGE DR** **LO96 OAK PARK SUB**

 Account  
 Search
 
[Pin/Parcel History](#) [Search Results](#) [New Search](#)
[Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)


<b>Property Owner</b> <b>MILLER, LEWIS R &amp; ELIZABETH R</b> (Use the Deeds link to view any additional owners)		<b>Owner's Mailing Address</b> <b>5021 HOLLYRIDGE DR</b> <b>RALEIGH NC 27612-3109</b>	<b>Property Location Address</b> <b>5019 HOLLYRIDGE DR</b> <b>RALEIGH NC 27612-3109</b>
<b>Administrative Data</b> Old Map # <b>405-00000-0163</b> Map/Scale <b>0786 16</b> VCS <b>07RA072</b> City <b>RALEIGH</b> Fire District Township <b>HOUSE CREEK</b> Land Class <b>VACANT</b> ETJ <b>RA</b> Spec Dist(s) Zoning <b>R-4</b> History ID 1 History ID 2 Acreage <b>.38</b> Permit Date Permit #		<b>Transfer Information</b> Deed Date <b>1/1/1976</b> Book & Page <b>02459 0596</b> Revenue Stamps Pkg Sale Date Pkg Sale Price Land Sale Date Land Sale Price  <b>Improvement Summary</b> Total Units <b>0</b> Recycle Units <b>0</b> Apt/SC Sqft Heated Area	<b>Assessed Value</b> Land Value <b>\$55,000</b> Assessed Bldg. Value Assessed  Tax Relief  Land Use Value Use Value Deferment Historic Deferment Total Deferred Value  Use/Hist/Tax Relief Assessed Total Value <b>\$55,000</b> Assessed*

\*Wake County assessed building and land values reflect the market value as of January 1, 2016, which is the date of the last county-wide revaluation. Any inflation, deflation or other economic changes occurring after this date does not affect the assessed value of the property and cannot be lawfully considered when reviewing the value for adjustment.

The January 1, 2016 values will remain in effect until the next county-wide revaluation. Until that time, any real estate accounts created or new construction built is assessed according to the 2016 Schedule of Values.

For questions regarding the information displayed on this site, please contact the Revenue Department at [RevHelp@wakegov.com](mailto:RevHelp@wakegov.com) or call 919-856-5400.

Real Estate ID **0024772** PIN # **0786842551**Location Address  
**5019 HOLLYRIDGE DR** Property Description  
**LO96 OAK PARK SUB**Account  
Search[Pin/Parcel History](#) [Search Results](#) [New Search](#)[Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)

Building Location Address <b>5019 HOLLYRIDGE DR</b>		Building Description <b>07RA072</b>		Card <b>01</b> Of <b>01</b>																																																																	
Bldg Type Units Heated Area Story Height Style Basement Exterior Const Type Heating Air Cond Plumbing		Year Blt Addns Eff Year Remod Int. Adjust. Other Features		Base Bldg Value Grade Cond % Market Adj. Market Adj. Accrued % Incomplete Code <b>Card 01 Value</b> All Other Cards Land Value Assessed <b>\$55,000</b> Total Value Assessed <b>\$55,000</b>																																																																	
Main and Addition Summary <table border="1"> <thead> <tr> <th>Story</th> <th>Type</th> <th>Code</th> <th>Area</th> <th>Inc</th> </tr> </thead> <tbody> <tr><td>M</td><td></td><td></td><td></td><td></td></tr> <tr><td>A</td><td></td><td></td><td></td><td></td></tr> <tr><td>B</td><td></td><td></td><td></td><td></td></tr> <tr><td>C</td><td></td><td></td><td></td><td></td></tr> <tr><td>D</td><td></td><td></td><td></td><td></td></tr> <tr><td>E</td><td></td><td></td><td></td><td></td></tr> <tr><td>F</td><td></td><td></td><td></td><td></td></tr> <tr><td>G</td><td></td><td></td><td></td><td></td></tr> <tr><td>H</td><td></td><td></td><td></td><td></td></tr> </tbody> </table>			Story	Type	Code	Area	Inc	M					A					B					C					D					E					F					G					H					Other Improvements <table border="1"> <thead> <tr> <th>Units</th> <th>DesItem</th> <th>Code</th> <th>Year</th> <th>%</th> <th>Inc</th> <th>Value</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td>ADJ</td> <td></td> <td></td> </tr> </tbody> </table>			Units	DesItem	Code	Year	%	Inc	Value					ADJ		
Story	Type	Code	Area	Inc																																																																	
M																																																																					
A																																																																					
B																																																																					
C																																																																					
D																																																																					
E																																																																					
F																																																																					
G																																																																					
H																																																																					
Units	DesItem	Code	Year	%	Inc	Value																																																															
				ADJ																																																																	
Building Sketch			Photograph																																																																		